

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/KK

RIO CHAMA STREAM SYSTEM

Section 3: Rio Cebolla

MOTION TO CORRECT DITCH NAMES IN SUBFILES
CHCB-002-0013 AND CHCB-007-0002B,
RIO CHAMA STREAM SYSTEM, SECTION 3, RIO CEBOLLA SUBSECTION

Pursuant to Federal Rules of Civil Procedure Rule 60(a), the State of New Mexico (“State”), by and through its counsel, requests the Court to correct the March 8, 2001 consent order for Subfile CHCB-002-0013 and the June 25, 2002 consent order for Subfile CHCB-007-0002B filed in the adjudication of the Rio Chama Stream System, Section 3, Rio Cebolla Subsection. The State offers the following grounds for the motion:

1. Paragraph 4.C of the original consent order filed in Subfile CHCB-002-0013 (Doc. No. 6198) indicates that Defendant James S. and Parrie V. Shortle Revocable Trust has irrigation water rights under a ditch identified as Unnamed Ditch No. 3. The correct name of the ditch under which the defendant has a right to water for irrigation purposes is the Martinez-Cordova South Ditch.
2. Paragraph 4.A of the original consent order filed in Subfile CHCB-007-0002B (Doc. No.

6794) indicates that Defendant Martinez Ranch Partnership has a right to the use of water for irrigation purposes from the Nicomedes Trujillo Ditch. The correct name of the ditch under which the defendant has a right to water for irrigation purposes is the Rincon Blanca Ditch.

3. Correcting the names of these ditches in no way affects the nature or extent of the claimants' water rights.

WHEREFORE, the State requests that this Court enter a *Revised Order Adjudicating Surface Water Irrigation Rights in Subfile CHCB-002-0013, Rio Chama Stream System, Section 3, Rio Cebolla Subsection*, and a *Revised Order Adjudicating Surface Water Irrigation Rights in Subfile CHCB-007-0002B, Rio Chama Stream System, Section 3, Rio Cebolla Subsection*.

Respectfully Submitted,

/s/ Felicity Strachan

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Certificate of Service

I certify that on May 17, 2017 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

/s/ Felicity Strachan

Felicity Strachan